

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Docket No.: Civ: 09 CV 5279

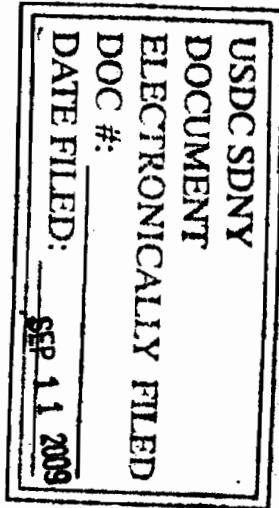
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The New York State Department of
Taxation and Finance

Plaintiff(s),

-against-

JJM-63 Restaurant Corp. doing business as
Ciao Baby

Defendant(s).
-----X



**ORDER PURSUANT TO 11 U.S.C. § 1412 TRANSFERRING VENUE TO THE
DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK**

On June 16, 2009, the JJM-63 Restaurant Corp., petitioners in the above proceeding, moved this court for a change of venue to the District Court for the Eastern District of New York. This court has considered the papers submitted in support of and in opposition to the motion, the authorities cited by the parties, and the argument of counsel.

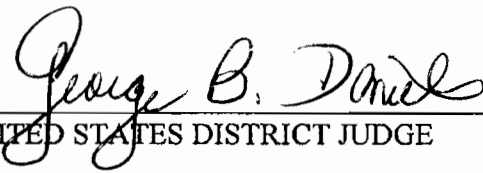
This court has determined that it would be in the interests of justice and the convenience of the parties and witnesses to transfer venue of this action;

BASED UPON THE FOREGOING FINDINGS, IT IS HEREBY,

ORDERED that this case is TRANSFERRED to the United States District Court for the Eastern District of New York pursuant to Section 1412 of Title 28 of the United States Code; and it is further

ORDERED that the Clerk of this court send a certified copy of this Order, together with the record in this case to the Clerk of the court for the Eastern District of New York.

Dated: New York, New York
_____, 2009



UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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The New York State Department of
Taxation and Finance

Plaintiff(s),

Civil Action No.: 09 CV 5279

-against-

JJM-63 Restaurant Corp. doing business as
Ciao Baby

Defendant(s).
-----X

RITA HANSHE, being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age and reside in Nassau County, New York.

On June 16, 2009, I served a true copy of the within **ORDER PURSUANT TO 11 U.S.C. § 1412 TRANSFERING VENUE TO THE DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK**, by certified mail, return receipt requested, by depositing same, enclosed in a pre-paid, sealed envelope, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the parties who have appeared as indicated below:

New York State Division of Tax Appeals
Empire State Development Corporation
633 Third Avenue, 34th floor
New York, NY 10017

New York State Attorney General
120 Broadway
New York, NY 10271-0332

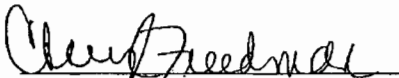
New York State Department of Taxation
and Finance
State Campus, New York
Bankruptcy Section
PO Box 5300
Albany, NY 12205

Alan Bobrow, Esq.
Hodgson Russ, LLP
1540 Broadway
New York, NY 10036



RITA HANSHE

Sworn to before me this
16th day of June, 2009.



Notary Public

457524

CHERYL FREEDMAN
NOTARY PUBLIC, State of New York
No. 01FR6126949
Qualified in Nassau County
Commission Expires May 16, 2013

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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The New York State Department of
Taxation and Finance

Plaintiff(s),

Civil Action No.: 09 CV 5279

-against-

JJM-63 Restaurant Corp. doing business as
Ciao Baby

Defendant(s).

-----X
RITA HANSHE, being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age and reside in Nassau County, New York.

On June 18 2009, I served a true copy of the within NOTICE OF REMOVAL PURSUANT TO 28 U.S.C. § 1452 AND F.R.B.P. RULE 9027(a), PETITIONER'S NOTICE OF MOTION TO TRANSFER VENUE AND ORDER PURSUANT TO 11 U.S.C. § 1412 TRANSFERRING VENUE TO THE DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK, by certified mail, return receipt requested, by depositing same, enclosed in a pre-paid, sealed envelope, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the parties who have appeared as indicated below:

New York State Division of Tax Appeals
Riverfront Professional Tower
500 Federal Street
Troy, NY 12180


RITA HANSHE

Sworn to before me this
18th day of June, 2009.


Notary Public

457524

CHERYL FREEDMAN
NOTARY PUBLIC, State of New York
No. 01FR6126849
Qualified in Nassau County
Commission Expires May 16, 2013